

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by

Labauze, U.S. Patent 5,811,479.

1. Claim 1 discloses a method of making a polymer comprising reacting a living polymer with a cyclic siloxane to give an intermediate, then reacting the intermediate with an amine with an active hydrogen atom. Labauze teaches reacting a living polymer with a cyclic polysiloxane (column 4, lines 62-66; column 8, lines 46-56). A polymer with a siloxane block is reacted with a primary amine (column 2, lines 30-36; column 3, lines 1-16; column 10, lines 29-35).

2. Claim 2 discloses the cyclic compound has at least three siloxane units. Labauze teaches this limitation (column 5, lines 12-16).

3. Claim 3 discloses the ring compound has silicon and oxygen atoms. Labauze teaches this limitation (column 5, lines 12-16).

4. Claim 9 discloses a polymer comprising an elastomer, a terminal functional group that has at least two different heteroatoms, and between the terminal group and the elastomer, at least three siloxane units. Labauze teaches this polymer (column 8, lines 46-56; column 10, lines 29-35).

5. Claim 10 discloses the siloxane groups are substituted with C<sub>1</sub>-C<sub>3</sub> alkyl groups. Labauze teaches using hexamethylcyclotrisiloxane (column 5, line 13).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT C. BOYLE whose telephone number is (571)270-7347. The examiner can normally be reached on Monday-Friday 9:00am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Sample can be reached on (571)272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David R. Sample/  
Supervisory Patent Examiner  
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